

June 21, 2022

VIA ECF

The Honorable Cheryl L. Pollak
United States Chief Magistrate Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East, Courtroom 13B South
Brooklyn, New York 11201

Re: *Hall, et al. v. Nassau County, et al.*,
No. 19 Civ. 00893 (LDH/CLP)

Dear Chief Judge Pollak:

We represent Plaintiffs in the above-referenced putative class action. We write respectfully to request that the Court calendar the Rule 16 initial conference, which the Court adjourned *sine die* by electronic order dated September 19, 2019.

Specifically, by letter dated September 13, 2019, Plaintiffs, writing on behalf of the parties, requested that the initial conference, which the Court had scheduled for September 25, 2019, be adjourned until December 23, 2019. *See* ECF No. 24. The parties requested the adjournment because, *inter alia*, on September 12, 2019, Judge Hall entered a briefing schedule for Defendants' motion to dismiss, pursuant to which Defendants' motion would be fully-briefed by December 5, 2019. Rather than adjourn the Rule 16 conference to a date certain, the Court adjourned the conference *sine die*. The Court, however, did not order a stay of discovery.

Defendants' motion to dismiss remains pending to date. Given that this case was initiated over three years ago, Plaintiffs believe that it is appropriate to commence the discovery process due to the risk of faded memories, witness relocation, *etc.*, attendant to the passage of a substantial amount of time. Accordingly, Plaintiffs respectfully request that the Court terminate its *sine die* adjournment and reschedule the Rule 16 conference.

Defendant Nassau County has informed Plaintiffs that it does not believe that a Rule 16 conference is necessary or should be held until the Court rules on the pending motion to dismiss.

We thank the Court for its consideration of Plaintiffs' request.

Respectfully submitted,

/s/ Andrew M. McNeela
Andrew M. McNeela

cc: Counsel of record via ECF